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Agenda items 34, 39, 66 and 75

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Security Council
Sixty-sixth year

Letter dated 9 April 2011 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

The unprecedented recent increase in ceasefire violations by Azerbaijan along the line of contact once again serves as a reminder that Azerbaijan is not committed to the agreement reached during the trilateral meeting of the Armenian, Russian and Azerbaijani Presidents in Sochi (Russia) on 5 March 2011. Instead of showing commitment to the peaceful settlement of the Nagorno Karabakh issue (a commitment which it proclaims to adhere to), Azerbaijan continues to escalate tensions and impede the peace process.

The Azerbaijani side is brazenly attempting to distract the international community's attention from the reality on the ground by shifting the responsibility for its own militaristic actions and ceasefire violations on others and sparing no effort in portraying them as aggressor. The practice of putting the blame on others in order to hide its own crimes has become a regular exercise for Azerbaijan.

The latest attempt is the unfounded accusation, contained in the recent letter from the Permanent Representative of Azerbaijan (contained in document A/65/780-S/2011/132), concerning the killing of a 9-year-old child on 8 March. The information circulated by the Azerbaijani authorities about this tragic incident is nothing but an attempt to save the tarnished image of the country, which has obviously suffered after the murder of an Armenian soldier by an Azerbaijani sniper on the eve of the above-mentioned meeting in Sochi, thus deviating the attention of the international community. The scribblers of Azerbaijani disinformation should

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realize that such cheap steps are not only unconvincing, but are shameful, as a life of a child is being used as a propaganda tool.

Concerned by the reports of ceasefire violations, the Organization for Security and Cooperation in Europe (OSCE) Mission conducted monitoring along the line of contact. While the Nagorno Karabakh authorities followed their early commitment and allowed the representatives of the OSCE Mission to assess the situation as agreed, Azerbaijan did not grant access to the OSCE Mission despite the prior agreement. If Azerbaijan is really committed to investigating the violations of ceasefire, as it purports to be in the above-mentioned letter, then it should cooperate with the OSCE Mission and not obstruct its work.

To further aggravate the situation, on the day of monitoring, 10 March, Azerbaijan violated the ceasefire once again in several sections of the line of contact, resulting in the death of a 19-year-old serviceman of the Defence Army of the Nagorno Karabakh Republic, Arthur Aghababyan, near Kuropatkino village.

Other despicable violations committed by Azerbaijan during the month of March include the following incidents:

- Grigor Shakhqian, born in 1991, serviceman of the Defence Army of Nagorno Karabkh Republic, was shot while he was off-day and riding in the back of a truck in the area of Verin-Chaylu village on 4 March 2011 at around 14.30. He was pronounced dead at 15.00, on the road to a hospital.
- Aharon Hayrapetyan, born in 1991, serviceman of the Defence Army of the Nagorno Karabakh Republic, was shot in the vicinity of the Sarijanli village on 17 March 2011 at 17.34. He was admitted to the Stepanakert hospital emergency ward at 18.20 where he was pronounced dead at 18.59.
- Hovhannes Avdalyan, born in 1991, sergeant of the Defence Army of Nagorno Karabakh Republic, was shot in the vicinity of the Jraberd village on 3 March 2011 at 11.10. He was admitted to the Stepanakert hospital emergency ward at 14.00 and, although his life was saved, he currently remains in a serious condition.

All these facts once again show that Azerbaijan continues to violate the tripartite agreement on confidence-building measures reached in Sochi, further undermining the Nagorno Karabakh peace process through provocative actions.

I should be grateful if you would have the present letter and its annex on the ceasefire violations for the period from 1 March to 1 April 2011, circulated as document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

Annex to the letter dated 9 April 2011 from the Permanent Representative of Armenia to the United Nations

Violations of the ceasefire by the armed forces of the Republic of Azerbaijan from 1 March to 1 April 2011

			Firing from Azerbaijani side	
No.	*Direction*	*Date, time*	*Type of weapon*	*Ammunition*
1.	Baganis	01.03.11 13.50	AK	1
2.	Paravaqar	02.03.11 11.05	AK	10
3.	Chinari	03.03.11 10.30	AK SVD	35 5
4.	Chinari	03.03.11 12.30	SVD	15
5.	Chinari	03.03.11 21.50	PK AK SVD	5 30 10
6.	Berdavan	03.03.11 15.30	PK	20
7.	Berdavan	03.03.11 16.00	AK PK	4 4
8.	Khndzorut	03.03.11 14.15	AK	1
9.	Chinari	05.03.11 15.00	Machine gun 12.7 mm	2
10.	Chinari	05.03.11 17.20	PK Machine gun 12.7 mm	60 50
11.	Vazashen	05.03.11 17.00	AK	40
12.	Ajgepar	07.03.11 10.30	AK	2
13.	Ajgepar	07.03.11 12.15	AK	8
14.	Paravaqar	08.03.11 00.10	AK	10
15.	Ajgehovit	07.03.11 10.50	AK	2
16.	Berdaber	07.03.11 12.20	PK	8
17.	Yeraskh	07.03.11 19.30	AK	5
18.	Yeraskh	07.03.11 19.45	AK	5

No.	Direction	Date, time	Firing from Azerbaijani side	
			Type of weapon	Ammunition
19.	Yeraskh	07.03.11 20.10	AK	3
20.	Agarak	07.03.11 22.00	AK	3
21.	Chinari	08.03.11 20.45	AK	3
22.	Chinari	09.03.11 22.35	AK PK	10 15
23.	Yeraskh	09.03.11 21.50	AK	5
24.	Yeraskh	09.03.11 21.55	AK	1
25.	Yeraskh	09.03.11 22.05	AK	15
26.	Yeraskh	09.03.11 22.35	AK	20
27.	Yeraskh	09.03.11 22.45	AK	4
28.	Yeraskh	09.03.11 22.55	AK	5
29.	Yeraskh	09.03.11 23.35	PK	3
30.	Yeraskh	10.03.11 01.05	AK	15
31.	Yeraskh	10.03.11 01.05	AK	5
32.	Yeraskh	11.03.11 21.50	AK	1
33.	Chinari	12.03.11 18.00	Sniper weapon 12.7 mm	5
34.	Vazashen	12.03.11 12.10	SVD	3
35.	Vazashen	12.03.11 12.10	SVD	3
36.	Laligyugh	12.03.11 13.10	PK	4
37.	Azaramut	12.03.11 16.45	SVD	1
38.	Ajgehwvit	12.03.11 19.10	AK	8
39.	Berdavan	12.03.11 22.00	AK	6
40.	Vazashen	14.03.11 01.15	AK	30

			Firing from Azerbaijani side	
No.	*Direction*	*Date, time*	*Type of weapon*	*Ammunition*
41.	Berdavan	13.03.11 12.45	AK	3
42.	Berdavan	14.03.11 01.15	AK	15
43.	Berdavan	14.03.11 01.20	AK	15
44.	Yeraskh	13.03.11 15.30	AK	4
45.	Paravaqar	14.03.11 12.10	AK SVD	5 5
46.	Dovekh	14.03.11 16.30	PK	15
47.	Dovekh	14.03.11 16.30	PK	25
48.	Barekamavan	14.03.11 22.40	AK SVD	5 1
49.	Aygedzor	15.03.11 12.00	AK PK	30 20
50.	Paravaqar	15.03.11 14.20	AK	24
51.	Kayanavan	15.03.11 20.30	AK	4
52.	Bergaber	15.03.11 20.30	AK	70
53.	Bergaber	15.03.11 20.30	Machine gun 12.7 mm AK	10 25
54.	Vazashen	15.03.11 22.40	AK	15
55.	Koty	15.03.11 19.40	RPK 5.45 mm AK	3 5
56.	Yeraskh	15.03.11 21.50	AK	1
57.	Khndzorut	15.03.11 19.30	PK	5
58.	Vazashen	16.03.11 21.00	AK	25
59.	Berdavan	16.03.11 21.10	AK	1
60.	Sevakavan	16.03.11 15.05	AK	2
61.	Kayanavan	17.03.11 15.55	SVD	1
62.	Kayanavan	17.03.11 19.30	AK	20

			Firing from Azerbaijani side	
No.	*Direction*	*Date, time*	*Type of weapon*	*Ammunition*
63.	Dovekh	17.03.11 15.35	SVD PK AK	5 10 25
64.	Lichk	17.03.11 16.35	AK	2
65.	Berdavan	18.03.11 13.30	AK PK SVD	15 10 5
66.	Berdavan	18.03.11 13.30	AK	7
67.	Barekamavan	18.03.11 17.55	AK	12
68.	Ajgepar	19.03.11 15.00	AK	1
69.	Vazashen	19.03.11 16.00	SVD	2
70.	Dovekh	19.03.11 14.55	SVD	6
71.	Barekamavan	19.03.11 14.55	AK	8
72.	Barekamavan	19.03.11 19.45	RPK 5.45 mm	13
73.	Barekamavan	19.03.11 19.45	SVD RPK 5.45 mm	2 15
74.	Movacs	20.03.11 22.25	AK	4
75.	Vazashen	20.03.11 20.00	AK	10
76.	Vazashen	20.03.11 20.00	AK PK	50 50
77.	Margyugh	20.03.11 21.30	AK	3
78.	Koty	20.03.11 15.20	SVD	1
79.	Koty	20.03.11 15.55	SVD	1
80.	Koty	20.03.11 15.55	SVD	3
81.	Barekamavan	20.03.11 17.10	AK	30
82.	Barekamavan	20.03.11 17.10	SVD	4
83.	Voskepar	20.03.11 21.25	AK	2
84.	Koty	21.03.11 00.30	SVD	15

No.	Direction	Date, time	Firing from Azerbaijani side	
			Type of weapon	Ammunition
85.	Agarak	20.03.11 21.30	AK	3
86.	Berdavan	21.03.11 21.20	AK	60
87.	Aygepar	22.03.11 12.50	AK	3
88.	Vazashen	22.03.11 10.30	SVD	5
89.	Voskepar	22.03.11 23.20	AK	2
90.	Yanshak	26.03.11 18.15	PK	12
91.	Chinari	26.03.11 21.15	AK	15
92.	Aygedzor	26.03.11 21.15	SVD	15
93.	Bercaber	26.03.11 16.50	AK	15
94.	Barekamavan	26.03.11 19.00	SVD PK	4 2
95.	Barekamavan	26.03.11 20.40	PK	30
96.	Mehrab	27.03.11 17.00	SVD	2
97.	Chinari	28.03.11 00.50	PK	45
98.	Aygepar	28.03.11 16.55	AK	1
99.	Bercaber	28.03.11 20.30	SVD	3
100.	Bercaber	28.03.11 20.30	AK	5
101.	Nerkin Karmiraghbur	30.03.11 23.10	SVD AK	5 25
102.	Aygepar	30.03.11 19.45	AK	1
103.	Barekamavan	30.03.11 13.00	SVD	1
104.	Barekamavan	30.03.11 19.45	SVD	1
105.	Movacs	31.03.11 12.15	AK	4

			Firing from Azerbaijani side	
No.	*Direction*	*Date, time*	*Type of weapon*	*Ammunition*
106.	Chinari	31.03.11 09.20	Sniper weapon 12.7 mm AK	2 6
107.	Koty	31.03.11 11.40	RPK 5.45 mm	4

The violations of the ceasefire by the armed forces of the Republic of Azerbaijan on the borderline of Armenia from 1 March to 1 April 2011:

Number of violations: 107
Shots: about 1,407

PK ~ (343), SVD — (124), machine gun 12.7 mm — (62), AK ~ (865), sniper weapon 12.7 mm — (7), RPK 5.45 mm ~ (35).

The violations of the ceasefire by the armed forces of the Republic of Azerbaijan on the borderline of Nagorno Karabakh from 1 March to 1 April 2011:

Number of violations: 1,045
Shots: about 5,888

RPG-7 — (1), PK ~ (917), RPK 5.45 mm ~ (10), SVD — (479), machine gun 12.7 mm ~ (101), sniper weapon 12.7 mm — (55), UTYOS-12.7 mm ~ (45), AK ~ (4,267), automatic grenade launcher 30 mm (13).

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Security Council

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Letter dated 11 April 2011 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General

I have the honour to present my compliments and to refer to Security Council resolution 1973 (2011) adopted on 17 March 2011. In accordance with paragraphs 4 and 8 of that resolution, I hereby notify you that the Hashemite Kingdom of Jordan will take measures under the authorizations conferred in those paragraphs which are necessary to protect civilians and civilian-populated areas under threat of attack in Libya, including assisting in securing humanitarian aid and enforcing compliance with the ban on flights in Libyan airspace imposed by paragraph 6 of that resolution.

I can confirm the intention of my Government to inform you immediately of any measures taken in the exercise of these authorizations.

I would be grateful if you would circulate the present letter as a document of the Security Council.

(*Signed*) Zeid Ra'ad Zeid **Al-Hussein**
Ambassador
Permanent Representative

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United Nations S/2011/239

Security Council

Distr.: General
12 April 2011

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Report of the Secretary-General on the Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an update since my previous report, dated 31 December 2010 (S/2010/681), on the implementation of the Comprehensive Peace Agreement and the activities of the United Nations Mission in the Sudan (UNMIS) up to 1 April 2011, as well as recommendations for the extension of UNMIS's mandate, which will expire on 30 April 2011.

II. Political developments

2. On 9 January 2011, exactly six years after the Comprehensive Peace Agreement came into effect, voting commenced for the Southern Sudan self-determination referendum. On 7 February, the official results were announced, with over 98 per cent voting in favour of separation. The results were immediately accepted by the National Congress Party (NCP) and were later endorsed by the national legislature. Immediately thereafter, the parties reiterated their commitment to resolving all remaining issues pertaining to the Comprehensive Peace Agreement by 9 July 2011, the date that will mark the end of the Comprehensive Peace Agreement interim period. Since then, however, there has been limited progress on post-referendum arrangements, including the important issues of Abyei and border demarcation.

Referendum

3. On 8 January 2011, the Southern Sudan Referendum Commission released the final registration figures for the referendum: 3,755,512 were registered in Southern Sudan, 116,857 in the North and 60,219 abroad. Polling was conducted from 9 to 15 January and proceeded largely without incident throughout the Sudan and in the eight countries designated for overseas voting (Australia, Canada, Egypt, Ethiopia, Kenya, Uganda, the United Kingdom of Great Britain and Northern Ireland and the United States of America).

4. The Southern Sudan Referendum Commission announced the preliminary results of the voting on 2 February, followed by a three-day window for the

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submission of appeals. As no appeals were submitted, the Commission issued the final results on 7 February: 98.83 per cent voted in favour of separation and 1.17 per cent in favour of unity. Overall voter turnout was 97.58 per cent.

5. My three-member panel on the referendums, led by the former President of the United Republic of Tanzania, Benjamin Mkapa, visited the Sudan during the polling, counting, aggregation and transmission period (from 5 to 21 January) and during the announcement of the results (from 5 to 7 February). The panel found that the referendum reflected the free will of the people of Southern Sudan and that the process as a whole was free, fair and credible. Numerous international and national observers publicly concurred with those findings. The panel now considers its mandate completed in Southern Sudan and to be held in abeyance in Abyei.

Political preparations for the post-Comprehensive Peace Agreement period

6. The Government of National Unity and the Government of Southern Sudan have begun preparing for the transition to the post-Comprehensive Peace Agreement period. In January, NCP, responding to internal demands for political reform in the North, initiated dialogue with political actors, including key opposition parties (the National Umma Party (NUP) and the Original Democratic Unionist Party (ODUP)), to secure participation in a broad-based government and a Government-led constitutional review process. The opposition, on the other hand, has called for a national unity government based on an agreed national agenda for reforms. Political tensions increased following student-led demonstrations between 30 January and 3 February that led to the arrests of students, journalists and civil society leaders.

7. On 21 February, the National Legislature officially endorsed the final results of the referendum. At the same session, the Speaker of Parliament announced that Southern representatives, as a result of the separation vote, would be dismissed as of April. The Sudan People's Liberation Movement (SPLM) rejected the decision, arguing that dismissal prior to the end of the interim period on 9 July, would be unconstitutional and would be a violation of the Comprehensive Peace Agreement. On 28 February, the National Assembly Legislation and Justice Committee overturned that decision and decided that Southern members of Parliament would not be suspended and would attend parliamentary sessions until the expiry of the interim period in July. The controversy over the issue continues to preoccupy the National Legislature.

8. On 21 January, the President of the Government of Southern Sudan, Salva Kiir, announced the establishment of a constitutional review committee charged with reviewing the interim constitution for adoption as a transitional constitution. Several political leaders expressed dissatisfaction over not having been consulted on the formation of the committee, and after the matter was discussed at the SPLM politburo on 12 and 13 February, the membership of the committee was expanded. However, on 8 March, five political parties withdrew from the committee, accusing SPLM of not being genuinely committed to an inclusive process or to a broad-based government in the South. Although these parties are no longer participating in the committee, the President has promised to present the proposed amended transitional constitution to the Southern Sudan Political Parties Forum, the body established to follow up on the resolutions of the October 2010 All-Party Conference, chaired by the President. There is still a lack of clarity, however, as to how consultative this process will be. The Southern Sudan Legislative Assembly must have at least

60 days to deliberate prior to adoption of the proposed transitional constitution by 9 July.

Negotiations on post-Comprehensive Peace Agreement arrangements

9. The negotiations on the post-Comprehensive Peace Agreement arrangements progressed throughout the reporting period, albeit at a slow pace owing to the holding of the referendum. The draft framework agreement produced by the African Union High-level Implementation Panel led by the former President of South Africa, Thabo Mbeki, continues to form the basis for the negotiations. A number of meetings were held at the "cluster" level in February under the guidance of the Joint Political Committee (led by the Presidential adviser on security, Lieutenant General Salah Gosh, and Pagan Amum, the Minister for the Peace Process of the Government of Southern Sudan) to give political guidance to the discussions.

10. With regard to security, the parties agreed in December 2010 to the general terms of post-Comprehensive Peace Agreement cooperation and decided to create a joint mechanism to address their respective security concerns, including the North-South border. They also agreed to start dissolving the Joint Integrated Units within 90 days of the official announcement of the result of the referendum, with the exception of those units deployed to Abyei and those securing the oil fields. A few key issues require further consideration at the most senior level, including: the role of a third party in supporting the implementation of the agreement on joint security mechanisms; the future of the large contingent of SPLA of Northern origin; and the Joint Integrated Units in Blue Nile and Southern Kordofan States.

11. While guiding principles to underpin the economic negotiations were agreed as part of the draft framework agreement in December 2010, the parties acknowledged that the negotiations over substantive issues require pressing action. As a step in this direction, the African Union High-level Implementation Panel convened the parties in Ethiopia from 1 to 5 March, together with technical experts from the United Nations Mission in the Sudan (UNMIS), the African Development Bank, the United States and Norway to discuss sub-cluster issues of debt, currency and oil. The parties made progress on a number of outstanding issues. Conditional upon receipt of firm commitments of debt relief from the international community, and pursuit of a joint creditor outreach strategy, the parties agreed that the Government of the Sudan would retain all external debt obligations. On currency, it was agreed that the Sudanese pound would be retained as legal tender for six to nine months following the interim period. On the subject of petroleum, it was agreed that the principle of territoriality would be maintained vis-à-vis oil assets. The discussions were markedly frank and cooperative, but many economic issues remain to be resolved by 9 July, including the apportionment of balance of payments loans, access for the South to oil transport infrastructure and the management of oil fields in border zones.

12. Concerning citizenship, both parties agreed on the need to prevent people from becoming stateless after the formal separation of the country and to protect the rights of Northerners in the South and Southerners in the North. Agreement has yet to be reached on the appropriate time period needed to transition to the new citizenship arrangements and on the right of some groups to choose their citizenship. NCP is amending the current law and SPLM is drafting its own new law with the aim of ratification in the North and the South by the end of the interim period.

13. UNMIS continues to work closely with the facilitator of the negotiations, the African Union High-level Implementation Panel, and with Norway, the United Kingdom of Great Britain and Northern Ireland, the United States and other stakeholders to support the facilitation. Some progress was registered on economic and security issues. However, in the light of tensions in Abyei and the lack of progress on the resolution of the dispute, SPLM suspended its participation in the post-referendum negotiations on 12 March. SPLM also alleged that NCP was destabilizing Southern Sudan by supplying arms to insurgents in Jonglei and Upper Nile States. NCP denied the accusations, however, and insisted on its readiness to continue negotiations.

Border demarcation

14. On 19 February, the Joint Political Committee of NCP and SPLM adopted the demarcation plan of the agreed parts of the current border line between Northern and Southern Sudan. The demarcation process, which will take more than a month and which has yet to commence, involves aerial and road reconnaissance, followed by physical demarcation of the border by 12 teams working concurrently. It is expected that the technical ad hoc border committee will request logistical and technical support from UNMIS, which the Mission stands ready to provide.

15. The Joint Political Committee has agreed to find solutions for the five disputed areas so that demarcation can be completed before the start of the rainy season at the end of April. Towards that end, the parties have asked the African Union High-level Implementation Panel to facilitate the resolution of the remaining contentious areas.

Abyei

16. The situation in Abyei remained volatile throughout the reporting period. The continued failure of the parties to make progress towards resolving the future status of Abyei fuelled frustration and empowered hard-line elements within the Misseriya and the Ngok Dinka communities, contributing to continued violence.

17. From 7 to 9 January, clashes occurred in several locations, notably near Makir Abior, resulting in casualties on both sides. On 13 January, in Kadugli, Misseriya and Ngok Dinka, tribal leaders signed an agreement governing the migration of Misseriya nomads through the Abyei area for 2011, the payment of reparations for incidents that occurred during the last migration season, and the opening of the Nyama-Abyei road to returning internally displaced persons. On 17 January, the Ministers of the Interior of the Government of the Sudan and the Government of Southern Sudan signed an agreement to deploy two additional Joint Integrated Unit battalions into the Abyei area while withdrawing Southern-affiliated police units to the town of Abyei itself, pending a joint senior police investigation on the policing needs for the Abyei area. At the request of both parties, UNMIS transported the incoming elements of Joint Integrated Units to their deployment areas and continues to provide water and medicine to them.

18. On 17 January, Misseriya militia declared a blockade of the main road through the Abyei area, constraining the flow of food and goods into Abyei town from the north. Both parties maintained and, in some cases, increased the presence of their respective armed forces and proxy militias in the Abyei area in direct violation of the 17 January agreement. The Presidency met on 27 January to discuss Abyei and

promised to make progress towards finding a solution to the dispute by the end of March.

19. Both parties have obstructed the deployment and operations of the Joint Integrated Units. On 12 February, an exchange of gunfire between a Joint Integrated Unit soldier and several police near the Abyei town market provoked a mob attack on Northern residents and traders, mainly Darfurians, killing three. Three hundred Darfurian and Northern Sudanese traders took refuge at the UNMIS camp. On 27 and 28 February, clashes occurred in Todach, followed by fighting in Makir Abior and Noong on 2 March and in Tajalei on 5 March. Over 100 deaths were confirmed as a result of the fighting, but unconfirmed reports indicated that many more were killed. UNMIS was able to access the affected areas in late February and early March, but was prevented by both sides from going to the areas from 4 March until the end of March, when access was restored.

20. As a result of the violence, up to 20,000 elderly, women and children of the Ngok Dinka community living in Abyei town and in villages north of the town began fleeing southwards during the first week of March. Some Misseriya moved north to avoid anticipated clashes between armed groups. Up to 60 per cent of the Ngok Dinka residents have reportedly returned to Abyei town, although the majority of displaced women and children remain in the outlying areas.

21. UNMIS convened a meeting between high-level NCP and SPLM delegations at the UNMIS Abyei compound on 4 March to find an agreement on measures to help to reduce local tensions and facilitate the implementation of the Kadugli agreements of 13 and 17 January. During the negotiations, a group of approximately 200 Ngok Dinka demonstrators gathered outside the compound. Protestors lit fires and threw stones at United Nations personnel and vehicles, and on one occasion stormed the main gate entering the UNMIS compound, injuring one unarmed Joint Integrated Unit soldier. In total, 15 United Nations vehicles were damaged. Nevertheless, the parties reached an agreement on the full and immediate implementation of the Kadugli agreements of 13 and 17 January, including the establishment of a standing committee consisting of two political representatives from each party, one member each from the two armies, the two police forces, the national security services and the command of recently deployed Joint Integrated Units. The need for the full and effective deployment of the Joint Integrated Units to the previously identified locations in the Abyei region and the immediate withdrawal of all other forces from the area were also reiterated in the agreement of 4 March. It was also agreed that the Joint Integrated Units deployed in Abyei would not include any of the elements who were involved in the clashes of 2008 or who may have a conflict of interest regarding the Abyei dispute.

22. In accordance with the Kadugli agreement, and following the 4 March agreement, UNMIS facilitated two meetings of the standing committee on 9 and 10 March in Khartoum. At neither meeting were the parties able to move beyond the issue of the deployment of Joint Integrated Unit troops to the town of Diffra, which SPLM made conditional on the complete withdrawal of the Northern police guarding the Diffra oil fields. Since the matter could not be resolved at that level, both parties decided to refer it to the high-level Joint Political Committee chaired by Pagan Amum, the Minister for the Peace Process of the Government of Southern Sudan, and Presidential Adviser Salah Gosh, which was scheduled to meet on 12 March.

23. Following the clashes in Malakal, tensions and political rhetoric between the parties to the Comprehensive Peace Agreement increased. On 12 March, instead of holding the expected high-level joint political committee, Minister Pagan Amum held a press conference accusing the Sudanese Armed Forces (SAF) of supporting the insurgents, and General Athor in particular, and announced the suspension of all talks with NCP by the Government of Southern Sudan. The following day, NCP issued a statement that the Misseriya migration into southern Abyei could not be held back any longer and that migration-related conflict could not be ruled out.

24. A Presidency meeting was then held between President Omar Al-Bashir and Vice-President Salva Kiir on 17 March, in the presence of President Mbeki. During that meeting, the parties did not find common ground on an immediate solution to the Abyei dispute and requested the African Union High-level Implementation Panel to propose one by the end of March. They agreed, however, that UNMIS should investigate SPLM claims of SAF deployments in Abyei and NCP/SAF support to rebel groups in Southern Sudan. Pending this investigation, President Bashir and Vice-President Kiir also agreed that the parties would resume discussions on outstanding post-referendum negotiations. On the implementation of the Kadugli agreements, they agreed to immediately activate the standing committee formed in Abyei on 4 March, but did not clarify the future of the oil police in Diffra. The Presidency subsequently agreed that all forces other than the Joint Integrated Units and Joint Integrated Police Units should leave the Abyei area and that UNMIS would monitor and verify the process.

25. While there have been no serious attacks since the 10 March meeting of the Standing Committee in Khartoum, on 12 March an SPLA member of the Abyei Joint Integrated Unit was shot dead in the Makir Abior area and five SAF members of the Joint Integrated Unit are reportedly missing. An investigation is under way. On 13 March, a minor incident involving an exchange of fire between SAF and SPLA Joint Integrated Unit troops in Abyei town resulted in one injury. This has contributed to tense relations between the SAF and the SPLA Joint Integrated Units.

Popular consultations

26. While there has been some progress towards the implementation of the provisions of the Comprehensive Peace Agreement, on popular consultations, significant work remains before the end of the interim period. In Blue Nile State, from 14 January to 2 February, the Parliamentary Commission on Popular Consultations conducted a series of public hearings at 108 centres across the State, during which 69,429 people expressed their opinions on the implementation of the agreement. Messages conveyed during the hearings focused on forms of governance and development needs in the State. The next stage involves the conduct of thematic hearings in March with the participation of political parties, civil society, members of State and National Assemblies, native administration and intellectuals. This process has been delayed owing to various political and procedural disagreements.

27. With the conclusion of the public and thematic hearings, the Parliamentary Commission on Popular Consultations will compile the final report for submission to the State Legislative Assembly. A number of Sudanese and international experts will assist in the process. Thereafter, the State Legislative Assembly will formulate its position on the issues to be negotiated with the federal Government. The parties involved expect to conclude the process, including negotiations between Blue Nile State and the Government of National Unity, by the end of the interim period.

28. In Southern Kordofan State, popular consultations have been high on the political agenda although they remain dependent on the holding of the State elections in May, for which technical preparations are under way. From 31 January to 11 February, 407 individuals from 14 civil society organizations were trained to conduct an awareness campaign for the forthcoming popular consultations process in Southern Kordofan. Simultaneously, the University of Khartoum Peace Research Institute, together with the state preparatory committee and the consultancy firm AECOM, conducted a series of workshops. Issues concerning wealth- and power-sharing, land, social and cultural rights were discussed with a broad range of stakeholders.

Elections in Southern Kordofan State

29. It will be recalled that gubernatorial and legislative elections were not held in Southern Kordofan State during the 2010 nationwide elections owing to disputes over the census figures. Voting is planned to take place from 2 to 4 May 2011 and counting will begin immediately thereafter with results posted at each polling centre. The National Elections Commission is yet to establish the detailed timeline for the announcement of the results although, according to the National Elections Act and the regulations of the Commission, final results must be declared no later than 30 days from the end of polling.

30. In December 2010, SPLM submitted objections over the 32 geographical constituencies to the National Elections Commission and subsequently to the National Supreme Court, which dismissed them on 20 January. After two consecutive delays, voter registration commenced on 24 January and concluded on 12 February.

31. The exhibition and objections period for the voter register took place between 25 February and 2 March. By the end of voter registration, SPLM submitted a complaint to the State Elections High Committee and the National Elections Commission and started bilateral discussions to address and correct discrepancies in registration figures. Other opposition political parties have joined in the SPLM complaint. In total, 26 objections were lodged but only two were upheld for consideration by both Committees. Following the exhibition and amendment processes, the National Elections Commission has finalized the voter register, putting the final number of registered voters at 642,558. On 8 March, during a meeting between the National Elections Commission and the political parties, the latter agreed on the final voter register. Amendments were made to the electoral calendar by the National Elections Commission to reflect the extra time needed to reach agreement over registration figures without affecting the date of the elections themselves. Submission of candidate nominations was completed, with the final publication of the candidates list expected on 2 April. The election campaign is expected to start on 4 April and to conclude on 1 May.

Wealth-sharing

32. According to the Ministry of Finance and Economic Planning of the Government of Southern Sudan, the total oil revenue of the Sudan in 2010 was $4.423 billion, of which its share was $1.802 billion, an increase from $1.068 billion in 2009. Taking the settlement of arrears and expenses into account, the total transferred to the Government of Southern Sudan was $1.553 billion. According to

the Ministry of Finance and National Economy of the Government of National Unity, in 2010, the share of the total oil revenue of the oil producing States was $89.27 million, of which $26.86 million was the share of Unity State, $45.79 million of Upper Nile State and $16.62 million of Southern Kordofan State. The 2010 share of total oil revenue of the Abyei area amounted to $4.3 million, of which $2.72 million has been transferred to date.

33. Non-oil revenue in Southern Sudan remains relatively small. According to the Ministry of Finance and National Economy of the Government of National Unity, a total of 45.9 million Sudanese pounds (approximately $16.5 million) was collected in 2010.

Eastern Sudan Peace Agreement

34. The political and security situation in Eastern Sudan remained stable. The signatories to the Eastern Sudan Peace Agreement remained fully engaged in addressing remaining benchmarks, including the absorption of Eastern Sudanese representatives in the national civil service and national institutions. They also remained committed to the implementation of the development projects agreed upon at the donor conference for Eastern Sudan hosted by Kuwait on 1 and 2 December 2010.

35. While recognizing progress made, some of the leaders of the Eastern Front have expressed dissatisfaction over the implementation of power-sharing, in particular after the April 2010 elections.

Darfur peace process

36. On 22 February, in Doha, the African Union-United Nations Joint Mediation team presented to the Government of the Sudan, Liberation and Justice Movement (LJM) and the Justice and Equality Movement (JEM), a set of draft proposals on key issues fundamental to peace in Darfur. On 11 March, the team submitted letters to the parties urging them to adopt four of the six chapters submitted by 20 March. The announcement of the Government's intent to hold a referendum on the administrative composition of government in Darfur in the coming months and to create two additional states in Darfur delayed the process since both JEM and LJM refused to engage in direct talks until they received assurances that the matter would remain on the agenda of the peace talks. The Government of the Sudan renewed its commitment to the peace process in Doha in writing on 14 March. Discussions over the texts continue.

III. Security developments in Southern Sudan

37. Efforts by the Government of Southern Sudan to strengthen the agreements reached at the All Southern Sudanese Political Parties Conference in October 2010, along with several key pardons issued by President Salva Kiir, served to significantly defuse political tensions in the South during the referendum period. Following the referendum, however, tensions in the South have risen. In particular, conflicts between SPLA and a number of insurgents and militia, including forces loyal to Lieutenant-General George Athor (former SPLA), Captain Olonyi (Shilluk milita) and David Yau Yau (Murle milita), resumed, posing a significant threat to civilians in Jonglei, Upper Nile and Unity States.

38. On 5 January, the Government of Southern Sudan and General Athor signed a ceasefire that lasted throughout the referendum period, but which broke down in early February when SPLA and General Athor accused each other of violating the accord. On 9 and 10 February, SPLA clashed with General Athor's militia in Fangak county, Jonglei State. A total of 64 civilian casualties were evacuated by road and air to Malakal hospital, with UNMIS transporting 23 of the casualties by helicopter. Thereafter, SPLA commenced a large-scale operation against General Athor's forces. The area has since stabilized and the General's support base is reportedly dissipating, with some of his followers having returned to their home areas or defected to other militias. General Athor nevertheless continues to elude capture and is currently thought to be in Pigi county, Jonglei State.

39. During the operation, SPLA declared that certain areas where fighting was taking place in Jonglei and Upper Nile States were insecure and restricted UNMIS access to them, thus impeding it from exercising its protection, verification and monitoring mandate. However, as of 18 March, UNMIS has begun to access all affected areas that have been cleared of mines. United Nations Mine Action assessment and survey teams are scheduled to begin operational work on 2 April, but clearance of all the materials could take months.

40. Negotiations on the integration of former SAF elements from the South and insurgents into SPLA, which began following the April 2010 elections, continued with mixed success. The process of integrating the forces belonging to Major-General Tanginye (former SAF) and Lieutenant Colonel Ayok Ogat (Shilluk milita) appear to have stalled and the integration of the forces of Colonel Matthew Pul Jang (former SAF) has stopped completely. In Unity State, UNMIS support to ceasefire negotiation efforts with Colonel Gatluak Gai has been suspended owing to a disagreement over the terms of his integration. The continued presence of militias awaiting integration in their home territories, in some cases near the forces of SPLA and Lieutenant General George Athor is a cause of tension that could lead to further conflict. On 6 March, a clash in Owachi in Upper Nile State between SPLA and Captain Olonyi's forces resulted in 57 casualties. Captain Olonyi commands a splinter group of the SPLM-Democratic Change militia, which has refused integration in Upper Nile State and has since left the assembly area. On 12 March, in what appears to have been a retaliatory operation, Captain Olonyi's forces attacked SPLA positions in Malakal, reportedly resulting in the killing of 30 Olonyi supporters and two members of SPLA, including injuries to 15 civilians.

41. Attacks by the Lord's Resistance Army (LRA) declined during the reporting period. While difficult to confirm, through close liaison with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the Uganda People's Defence Forces (UPDF), the Mission received reports of several attacks in Western Equatoria State attributed to LRA, resulting in seven people killed, 16 abducted (12 released, 4 still missing) and 21 injured, in addition to more than 2,800 newly displaced persons. While UPDF generally limits its presence to intelligence work and tracking the movement of LRA, security operations for the protection of the communities are conducted primarily by the local defence forces and by SPLA.

Redeployment of forces

42. While SAF has fully redeployed all non-Joint Integrated Unit forces from Southern Sudan, the SPLA redeployment figure from the North still remains at 37.7 per cent of a stated strength of 59,168 individuals. This discrepancy cannot be addressed solely by using existing monitoring and verification instruments. Nevertheless, the Ceasefire Political Commission, at its meeting in March, agreed to concentrate its monitoring and verification efforts on determining the actual SPLA presence in Southern Kordofan and Blue Nile States. Accordingly, the Commission directed the Ceasefire Joint Monitoring Commission to conduct monitoring and verification of any SPLA troops remaining in the two States and to assist the Ceasefire Political Commission in taking a political decision on those troops still unaccounted for.

Joint Integrated Units

43. With the announcement of the provisional referendum results on 30 January in Juba, the Joint Defence Board decided to initiate the dissolution of the Joint Integrated Units with the exception of those units deployed to Abyei and those securing the oil fields. The orders for the relocation of SAF Joint Integrated Units located in Southern Sudan to the north of the current border line were issued on 1 February, without adequate preparation or information being given to the Joint Integrated Unit forces. As a result, some Southern elements in the SAF Joint Integrated Units in Sector III refused to relocate to the North, resulting in internal fighting within the SAF Units in Malakal from 3 to 4 February as well as shootings within the SAF Units in Melut, Bunj, Kasara and Khod Adar on 5 February, which led to a total of 55 dead and 84 injured. UNMIS assisted in conflict mitigation and the medical evacuation of wounded personnel.

44. In early March 2011, the SPLA Joint Integrated Unit brigade in Khartoum started relocating south of the current border line. The status of the SPLA component of the Joint Integrated Units in Southern Kordofan and Blue Nile States has been referred by the Joint Defence Board to the Presidency for further consideration. In Sector I, most of the 1st Division Joint Integrated Unit remains in its assembly area in Juba but is due to move in the coming weeks once logistical assets are available. In Sector II, the movement and dissolution of the SAF Joint Integrated Unit is nearly complete. SPLA reported that the SPLA Joint Integrated Unit personnel have been fully integrated into the SPLA 6th Division. In Sector III, 125 SAF Joint Integrated Unit personnel remain at Bor and will move north with the SAF Joint Integrated Unit troops from Juba.

45. The large scale and the speed of the relocation of the Joint Integrated Units, including the movement of families and equipment, present many command, control and logistical challenges. Lessons learned from the Malakal incident on 3 February called for proper planning and an orderly and peaceful dissolution of the Units. Accordingly, following a directive issued by the Ceasefire Political Commission at its March meeting, SAF and SPLA approached UNMIS to seek logistical support for Joint Integrated Unit relocation operations to which the Mission has responded within its mandate and capacity.

46. The Kadugli agreement of 17 February included the deployment of two additional Joint Integrated Unit battalions to the Abyei area, a deployment which UNMIS facilitated. However, because of the challenges in sustaining themselves,

these Units are not having the envisioned operational impact. UNMIS has sought support from international donors through the existing Joint Integrated Unit trust fund. A draft proposal for the construction of 10 additional water boreholes has been submitted to four international donors, but only one response (declining support) has been received so far. UNMIS continues to provide basic logistical support (water and medical assistance) to the Units.

UNMIS military deployment

47. As of 28 March 2011, the UNMIS military component strength stood at 9,024 of the 10,000 troops authorized: 374 military observers, 184 staff officers and 8,466 troops. This represents 92.4 per cent of the strength recommended (9,990) by the 2008 Military Capability Study.

48. The focus of the military component has been enhanced during the interview period to include the stabilization of key conflict areas until 9 July. With armed groups fighting for the control of key supply routes in Upper Nile, Unity and Jonglei States (Phom el Zeraf), UNMIS deployed reinforcements to those areas. In addition, UNMIS has supported the relocation and dissolution of the Joint Integrated Units by verifying the numbers of troops and equipment, monitoring their movement and coordinating the destruction of unexploded ordnance. At the request of the Ceasefire Political Commission, through the Ceasefire Joint Monitoring Commission, UNMIS is verifying the number of SPLA Joint Integrated Unit troops in Southern Kordofan and Blue Nile States.

49. Following clashes in mid-January, late February and early March, and in order to prevent a further escalation of violence, UNMIS enhanced its presence north of Abyei town by reinforcing its deployment of four companies with two additional companies and the battalion headquarters from the force reserve battalion. This strengthened deployment has enabled increased frequency of patrols within Abyei town as well as throughout the Abyei area, thereby establishing a continuous United Nations presence and providing a sense of security to civilians.

Restrictions on freedom of movement

50. During the reporting period the majority of UNMIS patrols in the Mission area were unhindered by any deliberate restrictions on their freedom of movement. This was, however, not the case in Abyei, Jonglei and Upper Nile, where this positive trend has been reversed. Since the fighting in January, February and March, UNMIS patrols attempting to gain access to sites where clashes have taken place have been routinely obstructed by armed persons, some identifiable by their uniforms, some in civilian clothes. Attempts by UNMIS to verify reports of new military positions were also frequently blocked or in some other way hindered. Out of a total of 221 patrols conducted in the Abyei area during the reporting period at least 33 (or 15 per cent) were denied, with a sizeable increase in that number in March when 21 cases (26 per cent) of 82 UNMIS patrols were denied access. More importantly, since January and despite persistent attempts, UNMIS patrols have not been able to gain access to sites where fighting took place, including Makir Abior, Noong, Todach and Tajalei. In addition, UNMIS patrols have frequently been harassed, leaving them unable to carry out their tasks. Displays of aggression towards UNMIS were particularly overt in Goli, Diffra, Shegei and Um Khaer.

51. In March, owing to SPLA operations against the armed militias of General Athor and Captain Olonyi in Upper Nile and Jonglei States, SPLA requested that UNMIS remain out of the counties of Pigi, Ayod and Fangak. This restriction was lifted by SPLA in late March but it severely hampered the ability of UNMIS to verify the military and humanitarian situation in these areas and prevented humanitarian actors from gaining access to affected civilians.

52. In Southern Kordofan and Blue Nile States, most joint monitoring teams attempting to carry out the task of verifying the numbers of SPLA Joint Integrated Unit forces were able to gain access to those forces. However, in several cases, local commanders stated that they were not notified of, or ready for, the verification process. Subsequent patrols by joint monitoring teams to the same locations have continued to be refused access.

UNMIS police

53. The police component comprises 713 advisers, including 134 female officers, of an authorized strength of 715 officers. UNMIS police, with the support of the United Nations Development Programme (UNDP), trained 23,379 personnel of the Southern Sudan Police Service and over 4,500 personnel in Northern Sudan in referendum security duties. In addition, 1,800 police officers were given training in election security and 450 in riot control techniques. UNMIS police released a referendum security handbook in English and Arabic to sensitize security personnel regarding their roles and tasks. The 30,000 handbooks, printed by UNDP, were distributed to the Southern Sudan Police Service, the Government of National Unity police and other security agencies involved in security duties for the referendum. UNMIS police continues to provide training to police in Southern Kordofan State ahead of the State elections in May.

54. UNMIS police also conducted 3,255 patrols in the Mission area, including 638 joint confidence-building and long-range patrols with local police, United Nations military observers and other UNMIS entities. UNMIS police officers continue to be co-located with the Southern Sudan Police Service commissioners in each of the 10 States to provide advice and technical support.

Disarmament, demobilization and reintegration

55. During the reporting period, successful demobilization operations took place in Wau, Kadugli and Khartoum. As a result, a total of 7,030 ex-combatants, including 1,666 women and 420 disabled participants, were demobilized. As at 29 March, the national disarmament, demobilization and reintegration programme had demobilized a total of 44,263 ex-combatants: 32,298 in the North and 11,965 in the South, including 11,179 women and 3,696 disabled participants.

56. As at the end of February, 27,280 ex-combatants had been provided with information on reintegration opportunities in Northern and Southern Sudan. Of that number, 17,354 registered for reintegration support with the UNDP implementing partners: 12,081 completed the training component of the programme and 8,700 received reintegration packages.

57. Despite significant progress and efforts, the gap between demobilization and reintegration caused concern among national counterparts as posing a potential threat to security and stability in Southern Sudan and the border areas. In an effort

to address this gap, UNMIS planned reinsertion activities such as labour-intensive and micro-scale projects to support the national disarmament, demobilization and reintegration commissions in mitigating the risks stemming from the frustration of demobilized beneficiaries waiting for referral to implementing partners for reintegration.

58. At the request of the Southern Sudan Disarmament, Demobilization and Reintegration Commission, demobilization operations were halted during the referendum period in order to allow ex-combatants to take part in the polling. In Northern Sudan, demobilization continued; the planned first phase caseload is expected to be processed by 9 July.

Mine action

59. During the reporting period, the mine action sector cleared 2,869,366 square metres of land and destroyed 1,544 anti-personnel mines, 321 anti-tank mines, 60,137 small arms and ammunition and 8,590 items of unexploded ordnance. A total of 135 kilometres of roads were opened and 11,679 people in affected areas benefited from mine risk education, including internally displaced people in camps. A land release operation has facilitated the freedom of movement of local populations, humanitarian aid delivery and the return of displaced populations.

IV. Protection of civilians

60. Following the resurgence of violence in Jonglei, Upper Nile and Abyei, UNMIS increased its presence in affected areas, assisted the protection of persons displaced by the violence and intensified its political engagement with stakeholders. However, denial of access severely curtailed the ability of UNMIS to patrol in conflict areas such as Abyei, Jonglei and Upper Nile and to further deter threats against civilians.

61. However, with the lifting of restrictions on 18 March, UNMIS conducted a series of joint military/civilian patrols into the affected areas, and it is continuing its efforts to gain access to all affected areas that are cleared of mines. Since 21 March, UNMIS has reached most of the hardest-hit counties, including Mayom (Unity State), Owachi (Upper Nile State), Fangak, Khorfulus, Ayod, Duk, Uror and Nyirol (all in Jonglei State), and operations are under way for humanitarian assistance to internally displaced persons and affected civilians in these areas.

62. To facilitate the Mission's support to the Government of Southern Sudan and to mainstream protection in all Mission components, UNMIS established protection task forces in November 2010 under the leadership of the State coordinators and in close cooperation with the humanitarian country team State protection clusters. This has led to more targeted interventions with civilian authorities and military patrols.

63. Following attacks on convoys of returning Southerners in Abyei and Southern Kordofan State in January, the protection cluster and UNMIS established an alert network to monitor convoys in the three protocol areas and in Southern Sudan. UNMIS also supported bilateral discussions between the Government of National Unity and the Government of Southern Sudan to resolve security issues related to Abyei and to ascertain the security of both State-organized and spontaneous return convoys.

64. The Southern Sudan protection cluster, co-chaired by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Norwegian Refugee Council, has protection teams with senior officers in each of the 10 States of Southern Sudan. Teams are coordinating and supporting the work of expatriate protection partners and continuing to conduct rapid protection needs assessments across all States in order to identify threats to populations and determine interventions. Priority is being given to addressing gender-based violence through the establishment of response networks.

65. In Abyei, UNMIS and United Nations partners have further developed a stand-by safe haven in Abyei town to protect civilians in imminent danger. This is part of a broader strategic response that includes: robust patrolling in the Abyei area, close coordination with humanitarian partners to address conflict-related water scarcity, ongoing political advocacy, coordination with the Joint Integrated Unit and the Joint Integrated Police Units and continued efforts to strengthen legal protection.

Child protection

66. Although there have been no reports of active child recruitment in Southern Sudan by SPLA, children in uniform, at times carrying weapons, have continued to be seen within SPLA ranks during the reporting period. In March 2011, pending a formal renewal of the agreement, SPLA requested the support of the United Nations to continue the activities of the action plan signed in November 2009. The plan addresses the issue of child recruitment through the completion of the identification and removal of all children remaining within the ranks of the group. Under the second phase of the action plan, assessment visits will be carried out in the transitional areas, including in Jaw and Kurmuk, where children have been sighted within SPLA forces. The removal of SPLA from the annexes of my annual report on children and armed conflict is contingent upon full compliance with the implementation of the action plan on recruitment and use of children in line with Security Council resolutions 1539 (2004), 1612 (2005) and 1882 (2009).

67. While child demobilization has taken place in Blue Nile State, reports have been received of the active recruitment of children in Southern Kordofan State. In Blue Nile State, 140 children associated with SPLA were demobilized on 30 December 2010. The demobilized children were part of a list of 220 children that SPLA provided to the Joint DDR Commission in July 2010. Efforts are under way to release the remaining 80 children in the coming months. In Southern Kordofan State, the United Nations was able to confirm reports of SPLA still actively recruiting children. The recruitment of children is conducted openly at the SPLA guesthouse in Kadugli town. Upon recruitment, the children are sent for military training to White Lake Jaw.

V. Humanitarian situation, recovery and return

Humanitarian developments

68. Although the overall humanitarian situation has improved in Southern Sudan, conditions remain fragile. Nearly 450 people were reported killed as a result of conflict this year, and an additional 36,000 people were displaced during the attack of General Athor in Fangak in February. There are also concerns about humanitarian consequences related to the recent escalation of violence involving the Murle tribe,

with clashes taking place on almost a daily basis, as well as to the ongoing clashes between the Beli and Dinka tribes in Western Equatoria and between SPLA and militia in Eastern Equatoria.

69. More than 250,000 Southerners from the North have returned to the South since the end of October 2010. The Government of Southern Sudan expects that an additional 300,000 people may return by the end of the interim period in July. The pace of returns decelerated in January from 2,000 per day to an average of 2,000 per week, owing, in part, to the insecurity of the Southern Kordofan and Abyei return routes and a lack of funding from the Government of Southern Sudan for transport.

70. The International Organization for Migration (IOM) and the Southern Sudan Relief and Rehabilitation Commission have worked together to transport more than 5,000 returnees who have been stranded at the Kosti way station in White Nile State for up to three months.

71. In February 2001, the food security situation remains fragile. The annual needs and livelihoods analysis estimated that in 2011 nearly 10 per cent of the Sudanese population would continue to be severely food insecure and a further 26 per cent moderately food insecure.

72. Humanitarian partners continue to provide the bulk of basic services in the South. In the health sector alone, partners deliver more than 85 per cent of all health care. The Government of Southern Sudan has appealed to the international community and the United Nations to maintain the current emergency operation as it rapidly tries to build up its capacities in regulating and delivering public goods.

73. Humanitarian access continues to be a major concern, although steps taken by the Government of Southern Sudan have improved the operating environment. During 2010, 139 separate incidents of harassment and interference with humanitarian operations were reported. As of 14 March, 11 more cases have been registered. Violence against humanitarian personnel and the confiscation of relief assets have accounted for the majority of incidents. The ongoing leishmaniasis (kala-azar) epidemic is geographically concentrated in northern Jonglei State, where access remains difficult.

Recovery and development

74. The Government of Southern Sudan, in collaboration with UNDP and other development partners, commenced the process of drafting the Southern Sudan development plan. The plan, which will cover a two-year period starting in July, fulfils the requirements of an interim poverty reduction strategy paper. It is intended, together with the "Vision 2040" document, to set out a clear road map for the South's economic and social development priorities beyond the period of the Comprehensive Peace Agreement. It will also be used to determine budget allocations and will guide the funding decisions of the development partners.

75. Implementation of the action plan for the 19 core governance functions, which was presented by the Government of Southern Sudan at a high-level technical meeting hosted by the European Union in September 2010, is under way under the auspices of the capacity enhancement working group, chaired by the Ministry of Finance and Economic Planning with support from UNDP. More than 80 per cent of the funding required to establish the 19 core functions was mobilized and the

Government of Southern Sudan is on track to have these functions in place by the time of independence.

76. In February, the Government of Southern Sudan task force, "Preparing for 2011", presented a framework with 60 urgent actions that the Government intends to take to prepare for statehood. In a programme supported by UNDP, the United Nations Volunteers and civil servants from member States of the Intergovernmental Authority on Development (IGAD), are embedded in the governors' offices in all 10 States and in key ministries of the Government of Southern Sudan to help authorities put core functions in place.

77. Major stabilization programmes, funded through the Sudan Recovery Fund administered by UNDP, are under way in three of the South's most insecure, conflict-prone States. The programmes are based on priorities identified by the State Security Committee and focus on the extension of State authority into high-risk areas.

Return and reintegration

78. The major challenge for the return process remains the sustainable reintegration of returnees in the Southern provinces that have a very weak absorptive capacity. After an uneven start, the Government of Southern Sudan improved coordination and management of the return process. On 30 December 2010 it issued procedures that cover all aspects of the return process from registration and transport, to reception and early reintegration. Return committees were established in every State, chaired by the Southern Sudan Relief and Rehabilitation Commission, along with a Juba-based return task force chaired by the Minister of Humanitarian Affairs and Disaster Management.

79. In order to support Government coordination, an Emergency Returns Sector led by IOM and UNHCR was formed. A sustainable reintegration theme group, co-chaired by UNDP, was also established to help to coordinate medium-term programmes that go beyond early reintegration. A package of quick-impact programmes aimed at jump starting local economies and generating livelihoods in communities of returnees was launched in mid-March. UNDP has prioritized the four States of highest return (Unity, Northern Bahr Al Ghazal, Upper Nile and Warrap) for support with land allocation and urban planning and it is linking this with humanitarian efforts to ensure a smooth transition to sustainable reintegration. The child protection sub-cluster has been very active in advocating protection issues relating to children during the return, as well as guidelines for the return of children separated from their families.

80. As part of the efforts led by the Government of Southern Sudan to expand the delivery of basic services to return communities, more than 145 assessments throughout the South were completed by State governments. Using the information collected, each State government is currently elaborating a State reintegration plan. The cost of these plans are calculated with assistance from UNDP, and each State government and the relevant line ministries within the Government of Southern Sudan are expected to provide direct financial support. The plans, as well as any funding gaps, will be presented to the international community at a round table in mid-April.

VI. Governance and human rights

Rule of law

81. UNMIS continued its capacity-building and rehabilitation activities, with particular focus on the three protocol areas. Two training workshops were held in Blue Nile State, on prison management and child protection, and another workshop on water, sanitation and hygiene was held in the Agok/Abyei area.

82. In the South, the preliminary UNMIS assessment of the justice sector was completed in 8 out of the 10 southern States and a report of the assessment will be released upon completion. The Prison Service Provisional Order 2011 for Southern Sudan was signed into law and UNMIS provided support in developing a consolidated 2011 activity plan for the Prison Service.

83. Co-location of corrections advisers continued in both North and South, but service provision to both prison systems has been restricted owing to the continued problem of obtaining visas for the rotation of advisers. This has reduced the number of seconded corrections officers to UNMIS. The rehabilitation of prisons in Southern Sudan in Juba, Malakal, Wau, Yambio and Bor are near completion. This will bring the treatment of prisoners and the provision of humane prison environments into line with United Nations standards. The construction of prison cells at Abyei prison has also been completed.

84. The joint UNMIS-Government of Southern Sudan draft justice and security sectors interim review has examined the capacities of 14 justice and security sector institutions within the Government. The objective of the review is to strengthen local ownership of the development processes in these sectors, increase the understanding of formal and informal security and conflict resolution mechanisms and assist the Government of Southern Sudan in setting priorities for the transformation and revitalization of the justice and security sector following the outcome of the referendum.

Human rights

85. During the referendum, political rights and freedoms were respected and upheld to a large degree, notwithstanding some defects in the legal framework and a delay in civic education. Threatening political rhetoric against Southerners in Northern Sudan, coupled with the uncertainty on citizenship arrangements and an SPLM campaign, contributed to large-scale returns of Southerners from the North to the South and may have played a role in the attacks against returnee convoys in Abyei and Southern Kordofan.

86. In the North, the period saw increasing demands by opposition leaders for democratic reforms and demonstrations by university students calling for political and economic rights. The United Nations recorded 11 demonstrations with over 110 arrests and detentions. During demonstrations on 8 and 9 March in Khartoum, up to 84 political activists, including several prominent opposition politicians, were arrested. At least 57 persons are still in prison without charges, including 12 opposition leaders, 4 journalists and 12 civil society actors.

87. In Southern Sudan, some steps were taken by the Government to address concerns raised in an UNMIS report of allegations of severe human rights violations, including gender-based violence, extrajudicial killings and mistreatment

of persons at the Rajaf Police Training Centre in Juba in January. However, the overall lack of accountability and the high degree of impunity associated with violence and loss of lives, especially with respect to cattle raiding and armed confrontations between SPLA and militia groups, remain a serious concern.

88. Since the conclusion of the referendum, the United Nations has recorded 15 incidents of violence, resulting in 250 deaths, none of which has been investigated and those responsible have not been brought to justice. For example, on 16 January in Eastern Equatoria State, an armed group of more than 50 men attacked a bus transporting 13 people returning from Lafon to Torit. Police brought the situation under control, but no arrests were made. After the February clashes in Malakal, UNMIS confirmed reports that armed SPLA soldiers entered Malakal Teaching Hospital in search of patients thought to be affiliated with militia groups. Medical staff reported that they were threatened inside the hospital premises by weapon-wielding soldiers to prevent them from providing treatment to such persons.

89. On 28 March, UNMIS led a delegation to Owachi (Upper Nile State) to investigate reports of serious human rights abuses during the fighting on 6 and 7 March between SPLA and Captain Olonyi's forces. The team observed several burned and abandoned villages in the area and heard first-hand accounts that at least 45 persons had been killed during the fighting.

VII. Planning for a post-UNMIS presence in the Sudan

90. Further to Security Council resolution 1919 (2010), and at the request of the Government of Southern Sudan, the United Nations has commenced planning of a possible post-UNMIS presence in South Sudan. The United Nations remains ready to provide any assistance that the Government of the Sudan may request for North Sudan, including assistance on residual Comprehensive Peace Agreement and post-referendum issues. While a dialogue on these issues has commenced, no specific request has yet been forthcoming.

91. In accordance with the integrated mission planning process, the Headquarters-based Integrated Mission Task Force for the Sudan, and UNMIS and United Nations country team colleagues in the field have developed a conflict risk analysis and prepared the strategic objectives for a possible United Nations peace and security presence in South Sudan. At the same time, an integrated planning team consisting of colleagues from Headquarters and the field was established in the field to conduct in-depth assessments and operational planning for a possible mission. Close consultation with the Government of Southern Sudan and all bilateral and multilateral partners was maintained throughout the process.

92. Planning has been based on several principles, in particular that assistance would: (a) support national ownership and leadership for the consolidation of peace and security and development of institutional capacities; (b) be based on comparative advantage, ensuring a clear division of labour and full strategic and operational coordination within the United Nations system and with other bilateral and multilateral partners; (c) aim to strengthen governmental capacities to discharge responsibilities, increasing assistance as it can be absorbed and reducing it as national capacities become self-sustaining; (d) be cognizant of political and security developments in the Sudan to the North, taking into account the need to support good neighbourly relations; and (e) be based on time-bound targets, performance

benchmarks and regular reviews of progress towards clear results and in order to ensure a clear exit strategy, with an initial planning vision of three years under one-year renewable mandates.

93. In terms of areas of possible support, planning has focused on assisting the Government of Southern Sudan through the first fragile years of its independence. Integrated United Nations assistance would concentrate at national, State and county levels in areas of political support and democratization; governance and rule of law; security sector reform and disarmament, demobilization and reintegration; and conflict mitigation. In regard to the protection of civilians, and consistent with international norms and practice, planning has focused on strengthening the capacities of the Government of Southern Sudan to fulfil its sovereign responsibility to protect civilians and ensure the security of humanitarian access. Various options for the provision of physical protection, including by United Nations formed units, have been examined by the planning team.

94. Planning has also taken into account relevant measures and recommendations arising from key reform efforts (including the global field support strategy; the New Horizons agenda and the review of international civilian capacities) and has been conducted in the light of the global financial crisis and the principle "to do more with less" through flexibility, maximizing comparative advantage and coordination.

95. Field-level planning was completed at the end of March and I expect to be in a position to provide the necessary recommendations to the Security Council for its consideration of a possible presence in South Sudan by early May. In that report, I will also provide an update on relevant planning developments in regard to North Sudan. In the meantime, the Secretariat will consult closely with Member States on all relevant developments. Preparations for a new peace operation will have immediate budgetary implications for troop- and police-contributing countries and the Secretariat. A statement by the Security Council that it intends to establish a follow-on peace support operation, and that UNMIS and the Secretariat should commence preparations to allow for a smooth transition, will allow troop- and police-contributing countries, UNMIS and relevant departments to incur costs for the financing of these preparations.

VIII. Cross-cutting issues in the Mission

Public information

96. UNMIS sponsored trips for national and international media, which contributed to press coverage of the referendum and the role of the United Nations. The UNMIS monthly magazine *In Sudan* was dedicated to the referendum and approximately 52 stories about the referendum and the popular consultations in Blue Nile State were posted on the Mission's website in January and February.

97. Radio Miraya, which is United Nations-sponsored, contributed to media coverage of the referendum by deploying journalists across the country and inviting UNMIS and key civil society actors to clarify referendum voting processes and procedures. The channel also provided live coverage of the referendum.

Conduct and discipline

98. UNMIS held training and awareness-raising workshops in all sectors and conducted outreach activities for the local population to introduce the standards of conduct expected from United Nations personnel. UNMIS continued to monitor the compliance of staff members with the United Nations Code of Conduct and the zero-tolerance policy on sexual exploitation and abuse.

Gender

99. Focusing on mainstreaming a gender perspective in the context of the referendum, popular consultations and the Southern Kordofan elections, UNMIS collaborated with the National Elections Commission to facilitate a workshop session on "gender and elections" in Southern Kordofan. UNMIS also provided technical support through a workshop on the monitoring and evaluation of gender mainstreaming processes in strategic plans, budgets and projects for 20 staff members from the Ministry of Social Development, Women and Child Affairs. The Norwegian Government funded the workshop with support from UN-Women, UNMIS and UNDP. Gender training for disarmament, demobilization and reintegration candidates continued in demobilization sites in Khartoum and Southern Kordofan, including 35 police officers (four female), as part of a two-pronged strategy of incorporating a gender perspective into police duties.

HIV/AIDS

100. UNMIS continued its HIV/AIDS awareness training throughout the Mission area, further sensitizing 8,392 UNMIS personnel. Attesting to its success in raising awareness of HIV/AIDS, 105 peacekeepers received voluntary counselling and testing services during this period. At the State level, UNMIS reached 4,189 Sudanese through HIV/AIDS programming in the disarmament, demobilization and reintegration process in Southern Kordofan and is currently targeting 5,000 members of SPLA in Western Bahr Al Ghazal State.

Staff security

101. Criminal acts against United Nations personnel have been much the same as during previous reporting periods, although the increased population and the international presence in Juba have given rise to an increase in petty crime against United Nations personnel. In Khartoum, crime continues to be very low. Overall, United Nations staff members in the UNMIS area of responsibility were subjected to 4 incidents of arrest and detention, 13 cases of assault and harassment and 19 cases of robbery and theft. Tragically, a local United Nations staff member was killed in crossfire in early February in a shooting incident in Malakal.

Coordination with other peacekeeping missions

102. UNMIS continued its regular exchange of information with MONUSCO and the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Cooperation with UNAMID contributed to information-sharing and the planning of coordinated activities along the respective sides of the border. Liaison with MONUSCO focused on rebel groups operating on the borders of the Democratic Republic of the Congo, the Central African Republic and Southern Sudan. This has led to a shared understanding of movements, tactics and acts of these groups and

facilitated a coordinated sequence of actions by the two missions to monitor rebel groups and contribute to the protection of civilians.

Financial aspects

103. The General Assembly, by its resolution 65/257 of 24 December 2010, appropriated an amount of just over $70 million for the maintenance of UNMIS for the period from 1 July 2010 to 30 June 2011, in addition to the amount of $938 million previously appropriated for the maintenance of the Mission under the terms of its resolution 64/283. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2011, the cost of maintaining the Mission until 30 June 2011 would be limited to the amounts approved by the Assembly. As at 1 April 2011, unpaid assessed contributions to the Special Account for UNMIS amounted to $147.9 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,079.2 million. Reimbursement of troop-contributing Governments for troop- and contingent-owned equipment costs has been made for the period up to 30 November 2010 and 30 September 2010, respectively.

IX. Observations and recommendations

104. The successful completion of the Southern Sudan self-determination referendum was a momentous achievement. It is a testament to the commitment to peace of the parties to the Comprehensive Peace Agreement and to the courage of President Bashir and First Vice-President Kiir to successfully completing the Agreement and changing the course of history in their country. The parties to the Agreement went to great lengths to ensure that the referendum progressed smoothly, peacefully and on time, and that its results were accepted by all. As testified by all concerned, the result clearly reflected the will of the Southern Sudanese people.

105. The referendum also demonstrated how the peace and security work of the United Nations can be effective when supported by a unified and coordinated international community. The logistical and technical assistance provided by UNMIS and the financial support of the international partners were indispensable. Just as important was the political facilitation provided by my representative and the tireless work of staff throughout the Mission. The strong and unanimous international consensus on the importance of the referendum and the readiness to support its proper conduct significantly amplified the Mission's capacity.

106. Despite these achievements, we must not lose sight of the challenges ahead. Several key CPA issues contained in the Comprehensive Peace Agreement remain unresolved or incomplete. If these issues are not addressed effectively they can quickly undermine progress and might pull the parties back into conflict. Both the Sudanese and their international partners must resist the temptation to relax their efforts following the success of the referendum. I call upon the senior leadership of NCP and SPLM to take immediate action to resolve all outstanding issues.

107. The parties to the Comprehensive Peace Agreement can no longer postpone addressing the question of Abyei's future status. The delay in facing the compromises necessary to resolve the Abyei issue has cost lives, threatened livelihoods and could easily unravel the goodwill earned from the successful referendum process. UNMIS is committed to doing everything within its capacity to

assist in keeping the peace and protecting civilians in the area, but the only sure way to prevent incidents from escalating into widespread violence is to comprehensively address the underlying concerns. While calling on the leadership of the parties to the Comprehensive Peace Agreement to urgently finalize such a settlement, I also urge them, in the meantime, to contain the situation by implementing the Kadugli agreements, which call for the withdrawal of all security forces from the Abyei area with the exception of the Joint Integrated Units and Joint Integrated Police Units. UNMIS is ready to work with these forces to maintain peace while a permanent settlement is being sought by the two parties. To do so effectively, however, UNMIS must be allowed freedom of movement in the area.

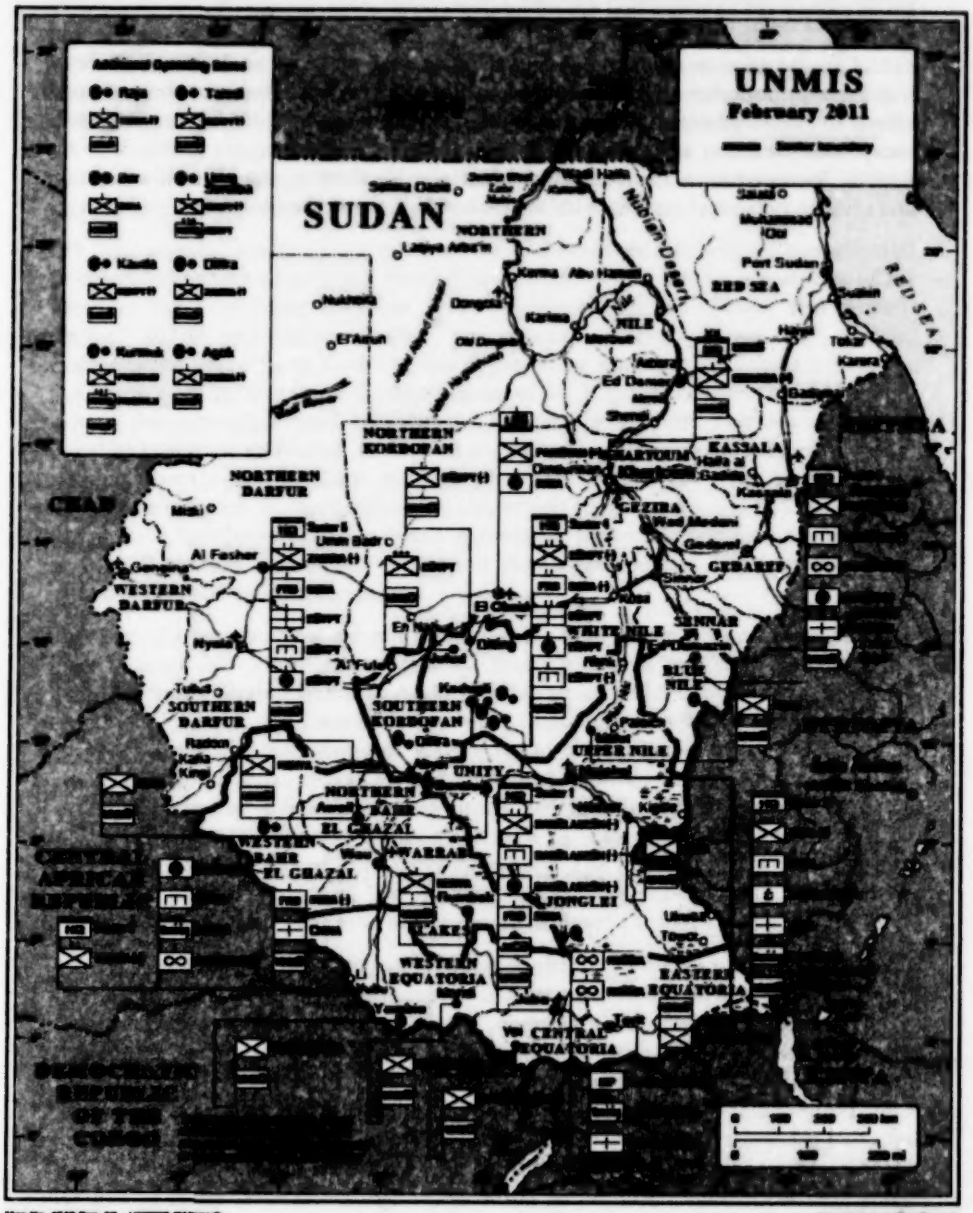
108. The popular consultations in Blue Nile and Southern Kordofan States are vital for the development of peaceful North-South relations and for the adjustment of the North in the post-Comprehensive Peace Agreement period. Power and wealth-sharing, social and cultural rights for minorities, land reform and security arrangements will form the core of the negotiations arising out of these processes. The North's ability to engage on these issues in an inclusive manner that adequately reflects the aspirations and concerns of the people of these two States will be essential in setting its course for the coming period. I call upon the parties to ensure credible popular consultations in Blue Nile and South Kordofan States and to commit themselves to mechanisms to implement their results beyond the interim period set in the Comprehensive Peace Agreement. I also reiterate the willingness of the United Nations to continue to support the Government in implementing these critical aspects of the peace process.

109. The challenges ahead are not limited to the completion of the Comprehensive Peace Agreement. I am encouraged by recent progress in the negotiations on post-Agreement arrangements in Addis Ababa, which reflects an awareness of the importance of reaching a mutually acceptable agreement on these complex issues. However, many difficult questions yet remain to be addressed before separation. A failure to resolve security issues and the disposition of armed forces along the border, disputed or otherwise, could easily spark renewed violence. I urge the parties to make use of every resource available to resolve these questions quickly, and I recognize the value of third-party assistance. The international community as a whole stands ready to help, but it can only act effectively once the parties themselves have made clear how best it can contribute.

110. As noted herein, following the request of the Government of Southern Sudan, planning to support peace consolidation and capacity-building in a wide range of areas has started. The outcome of the ongoing technical assessment will be presented to the Security Council in May. Logically, we can expect to build the new mission on the foundations and infrastructure established by UNMIS, without prejudging its mandate, composition or concept of operations. In that connection, I recommend that the Security Council support my request to incur planning costs for the new mission. In the meantime, my Special Representative has also initiated dialogue with the Government of the Sudan on its preferred options for the United Nations assistance in the North, as well as in Abyei and the still disputed North-South border in the post-Comprehensive Peace Agreement period. As noted herein, I will report to the Council by mid-May with a further update on these planning issues.

111. The mandate of UNMIS will expire on 30 April 2011. In the light of the above, and the progress noted in the present report, I recommend that the Security Council extend the Mission's mandate through 9 July 2011, when the Comprehensive Peace Agreement interim period will be completed.

112. I would like to thank the African Union and the African Union High-level Implementation Panel under the Chairmanship of President Mbeki for their untiring efforts to find a solution to the outstanding Comprehensive Peace Agreement issues and post-referendum arrangements, and conclude by expressing my gratitude to my Special Representative for the Sudan, Mr. Haile Menkerios, and all military, police and civilian personnel serving with the United Nations in the Sudan.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